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10/762.218	01/21/2004	Peter Sirota	14618-007001	2185

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EXAMINER
DAM, KIM LYNN T

ART UNIT	PAPER NUMBER
2179	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/762,218	SIROTA ET AL.
	Examiner	Art Unit	
	Kim-Lynn Dam	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 January 2004*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-52* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-52* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the application filed on 1/21/04. Claims 1-52 have

been examined and are pending.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-3, 5, 8-11, 13, 14, 17, 18, 20, 21, 26, 27-29, 31, 34-37, 39, 40, 43, 44,

46 and 47 are rejected under 35 U.S.C. 102(b) as being anticipated by Yurkovic (USPN

6,487,585).

Regarding claim 1, Yurkovic disclosed a method executed over a distributed computer

network comprising:

        scheduling at a server device a network-based media event (Abstract, lines 5-10;

Column 1, lines 48-54; Figure 2, item 12); and

        sending a client device a message inviting an attendee to attend the network-

based media event (Column 3, lines 54-60; Figure 7; Column 5, lines 32-48).

Regarding claim 2, Yurkovic disclosed the method of claim 1 wherein scheduling a

media event includes defining a broadcast time, a broadcast date, and a broadcast type

for the media event (Figures 5 and 6, Column 4, line 36 to Column 5, line 6). It is

inherent that a broadcast type is defined when a media event is scheduled (Column 1,

lines 58-64).

Regarding claim 3, Yurkovic disclosed the method of claim 1 wherein scheduling a

media event includes defining one or more options for the media event (Column 1, lines

58-64).

Regarding claim 5, Yurkovic disclosed the method of claim 1 wherein scheduling a

media event includes uploading a slideshow presentation (Column 5, lines 16-24).

Regarding claim 8, Yurkovic disclosed the method of claim 1 wherein scheduling a

media event includes specifying one or more attendees (Figure 7; Column 5, lines 32-

48) .

Regarding claim 9, Yurkovic disclosed the method of claim 1 further comprising:

registering an attendee for the network-based media event (Figure 7; Column 5, lines

32-61).

Regarding claim 10, Yurkovic disclosed the method of claim 9 wherein registering an

attendee includes assigning a password to an attendee (Column 5, lines 49-61).

Regarding claim 11, Yurkovic disclosed the method of claim 9 wherein registering an

attendee includes collecting information from an attendee (Figure 8B, item 702b;

Column 6, lines 47-57).

Regarding claim 13, Yurkovic disclosed the method of claim 1 further comprising:

reminding an attendee to attend the network-based media event (Abstract, lines 10-12;

Column 2, lines 3-6; Column 3, lines 54-60).

Regarding claim 14, Yurkovic disclosed the method of claim 1 further comprising:

executing the network-based media event (Column 6, line 58 to Column 7, line 29).

Regarding claim 17, Yurkovic disclosed the method of claim 14 wherein executing the

media event includes establishing a connection between an attendee computer and a

remote server (Figure 1 and 2, items 10, 18, 30-1, 30-i and 40; Column 3, lines 41-49).

Regarding claim 18, Yurkovic disclosed the method of claim 17 wherein executing the

media event further includes accessing, with a browser, a data stream broadcast by the

remote server ("presentation page", Column 6, lines 47-57).

Regarding claim 20, Yurkovic disclosed the method of claim 14 wherein executing the

media event includes establishing a connection between a host device and a remote

server (Figure 2, items 12 and 18; Column 3, lines 41-49).

Regarding claim 21, Yurkovic disclosed the method of claim 14 wherein executing the

media event includes broadcasting a data stream from a remote server to one or more

attendee computers (Figure 1 and 2, items 10, 18, 30-1, 30-I and 40; Column 3, lines

41-49).

Regarding claim 26, Yurkovic disclosed the method of claim 21 wherein executing the

media event further includes encoding the data stream prior to broadcasting the data

stream (Column 7, lines 14-21).

Regarding claims 27-29, 31, 34-37, 39, 40, 43, 44, 46 and 47, they are the

corresponding program product claims of 1-3, 5, 8-11, 13, 14, 17, 18, 20, 21 and 26.

Therefore, claims 27-29, 31, 34-40, 43, 44, 46 and 47 are rejected under the same

rationale as applied above.

3.   Claim 12 and 38 rejected under 35 U.S.C. 102(b) as anticipated by Yurkovic

(USPN 6,487,585) or, in the alternative, under 35 U.S.C. 103(a) as being obvious.

Regarding claim 12, Yurkovic disclosed the method of claim 9 wherein registering an

attendee includes transferring an applet to the computer of the attendee (Figure 8B;

Column 6, lines 47-57). An applet is inherently included in Yurkovic's teaching of Figure

8B since the console screen is delivered to an attendee computer terminal, which

provides the same functionality of an applet. Even if it is not, the implementation of an applet it is well known and expedient in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to transfer and applet to a computer of an attendee in order to provide a client computer with a user interface.

Regarding claim 38, it is the corresponding product claim of claim 12. Therefore, claim 38 is rejected under the same rationale as applied above.

4.   Claims 1-3, 5, 8, 9, 11, 13-22, 27-29, 31, 34, 35, 37, and 39-48 are rejected under 35 U.S.C. 102(a) as being anticipated by Bookspan et al. (USPN 6,636,888).

Regarding claim 1, Bookspan disclosed a method executed over a distributed computer network comprising:

scheduling at a server device a network-based media event (Column 2, lines 37-49); and

sending a client device a message inviting an attendee to attend the network-based media event (Column 2, lines 49-55).

Regarding claim 2, Bookspan disclosed the method of claim 1 wherein scheduling a media event includes defining a broadcast time (Figure 7, item 530; Figure 13 item 1106), a broadcast date (Figure 5, item 526; Figure 13 item 1106), and a broadcast type for the media event (Figure 5, items 322 and 324; Figure 13, items 1116, 1118, 1120).

Regarding claim 3, Bookspan disclosed the method of claim 1 wherein scheduling a

media event includes defining one or more options for the media event (Figure 5, items

322 and 324; Figure 13, items 1116, 1118, 1120).

Regarding claim 5, Bookspan disclosed the method of claim 1 wherein scheduling a

media event includes uploading a slideshow presentation (Column 22, lines 39-43).

Regarding claim 8, Bookspan disclosed the method of claim 1 wherein scheduling a

media event includes specifying one or more attendees (Column 2, lines 49-55).

Regarding claim 9, Bookspan disclosed the method of claim 1 further comprising:

registering an attendee for the network-based media event (Column 14, lines 33-36).

Regarding claim 11, Bookspan disclosed the method of claim 9 wherein registering an

attendee includes collecting information from an attendee (Column 14, lines 33-36;

Column 15, lines 1-5).

Regarding claim 13, Bookspan disclosed the method of claim 1 further comprising:

reminding an attendee to attend the network-based media event (Figure 9; Column 2,

lines 61-65).

Regarding claim 14, Bookspan disclosed the method of claim 1 further comprising:

executing the network-based media event (Column 22, lines 1-21).

Regarding claim 15, Bookspan disclosed the method of claim 14 wherein executing the

media event includes launching a browser on an attendee computer at a predefined

time (Column 15, line 56 to Column 16 line 10).

Regarding claim 16, Bookspan disclosed the method of claim 15 wherein an applet

resident on the attendee computer launches the browser at a predefined time (Column

15, line 56 to Column 16 line 10).

Regarding claim 17, Bookspan disclosed the method of claim 14 wherein executing the

media event includes establishing a connection between an attendee computer and a

remote server (Column 22, lines 1-21 (wherein the presentation is viewed by the

attendee provided from the NETSHOW server, therefore it is inherent that there is a

connection between an attendee computer and a remote server).

Regarding claim 18, Bookspan disclosed the method of claim 17 wherein executing the

media event further includes accessing, with a browser, a data stream broadcast by the

remote server (Column 22, lines 1-21 (wherein the presentation is viewed by the

attendee from the NETSHOW server)).

Regarding claim 19, Bookspan disclosed the method of claim 18 wherein the data

stream is an encoded data stream and executing the media event further includes

decoding the encoded data stream (Column 24, lines 20-26).

Regarding claim 20, Bookspan disclosed the method of claim 14 wherein executing the

media event includes establishing a connection between a host device and a remote

server (Column 2, lines 37-49 (where user schedules the presentation with a broadcast

server); Column 12, lines 15-19).

Regarding claim 21, Bookspan disclosed the method of claim 14 wherein executing the

media event includes broadcasting a data stream from a remote server to one or more

attendee computers (Column 22, lines 1-21).

Regarding claim 22, Bookspan disclosed the method of claim 21 wherein executing the

media event further includes embedding a file representative of a slideshow slide into

the data stream (Column 22, lines 14-19).

Regarding claims 27-29, 31, 34, 35, 37, and 39-48, they are the corresponding program

product claims of 1-3, 5, 8, 9, 11, and 13-22. Therefore, claims 27-29, 31, 34, 35, 37,

and 39-48 are rejected under the same rationale as applied above.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 4, 7, 30 and 33 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Yurkovic (USPN 6,487,585) in view of Hanson et al. (USPN

6,457,045).

Regarding claim 4, Yurkovic disclosed the method of claim 3 wherein the options are

chosen from the group consisting of a slideshow presentation. Yurkovic did not

specifically disclose the group consisting an interactive poll. However, Hanson

disclosed polling a group of participants connected to a network (Abstract, lines 1-3;

Column 13, lines 21-32). It would have been obvious to one of ordinary skill in the art at

the time of invention to include the interactive polling of Hanson as one of the media

event options of Yurkovic in order to provide means for collecting data or choices from

multiple participants (Hanson: Column 13, lines 21-32).

Regarding claim 7, Yurkovic disclosed scheduling media events (Abstract, lines 5-10;

Column 1, lines 48-54; Figure 2, item 12). Yurkovic did not specifically disclose

configuring an interactive poll. However, Hanson disclosed polling a group of

participants connected to a network (Abstract, lines 1-3; Column 13, lines 21-32). It

would have been obvious to one of ordinary skill in the art at the time of invention to
incorporate the interactive polling of Hanson with the scheduling media events of
Yurkovic in order to provide means for collecting data or choices from multiple
participants (Hanson: Column 13, lines 21-32).

Regarding claims 30 and 33, they are the corresponding program product claims of 4
and 7. Therefore claims 30 and 33 are rejected under the same rationale as applied
above.

7.   Claim 6 and 32 rejected under 35 U.S.C. 103(a) as being unpatentable over
Yurkovic (USPN6,487,585) in view of Dunlap et al. (USPN 6,560,637).

Regarding claim 6, Yurkovic disclosed the method of claim 5. Yurkovic did not
specifically disclose wherein scheduling a media event further includes converting one
or more slides of the slideshow presentation into a standard image file format.
However, Dunlap disclosed the above limitation (Column 4, lines 19-24). It would have
been obvious to one of ordinary skill in the art at the time of invention to incorporate the
teachings of Dunlap with the method of Yurkovic since converting slides to image files
allows images to be viewed without special plug-ins or controls (Dunlap: Column 4, lines
19-24).

Regarding claim 32, it is the corresponding program product claim of 6. Therefore claim

32 is rejected under the same rationale as applied above.

8.   Claims 23-25 and 49-51 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bookspan et al. (USPN 6,636,888) in view of Hanson et al. (USPN

6,457,045).

Regarding claim 23, Bookspan disclosed the method of claim 21 wherein executing the

media event further includes embedding a file representative of a slideshow slide into

the data stream (Column 22, lines 14-19). Bookspan did not specifically disclose

wherein executing the media event further includes embedding a file representative of

an opinion poll into the data stream. However, Hanson disclosed polling a group of

participants connected to a network as a media event (Abstract, lines 1-3; Column 13,

lines 21-32). It would have been obvious to one of ordinary skill in the art at the time of

invention to embed a file representative of an opinion poll into the data stream similarly

to embedding a file representative of a slideshow slide since doing so improves the

synchronization of the broadcasting (Bookspan: Column 22, lines 14-19).

Regarding claim 24, the rejection of claim 23 is incorporated and further Hanson

disclosed wherein executing the media event further includes transmitting, from an

attendee computer to the remote server, poll data representative of an attendee

response to the opinion poll (Column 2, lines 43-63 (wherein dynamic content received

by server includes selected choices from participants). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the teachings of Hanson with the execution of media events of Bookman in order to provide means for collecting data or choices from multiple participants (Hanson: Column 13, lines 21-32) and to dynamically update the server with results from participants (Hanson: Column 2, lines 43-63).

Regarding claim 25, the rejection of claim 24 is incorporated and further Hanson disclosed wherein executing the media event further includes storing the poll data on the remote server (Column 2, lines 43-63 (wherein server has associated database which retrieves and stores dynamic content including selected choices made by participants).

Regarding claims 49-51, they are the corresponding program product claims of 23-25. Therefore claims 49-51 are rejected under the same rationale as applied above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim-Lynn Dam whose telephone number is (571) 270-1408. The examiner can normally be reached on M-TH 8:00-5:30, every other Friday 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kim-Lynn Dam
2/15/07

BA HUYNH
PRIMARY EXAMINER